

# United States District Court

## EASTERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

*Plaintiff,*

v.

EDUARDO NMN GARCIA, a/k/a Eduardo  
Garcia Olvera, a/k/a Eduardo Olvera Garcia,

*Defendant.*

### CRIMINAL COMPLAINT

Case No. 22-MJ-301-KEW

I, Rebecca Davison, the undersigned complainant, state that the following is true to the best of my knowledge and belief.

On or about November 4, 2022, in the Eastern District of Oklahoma, EDUARDO NMN GARCIA, a/k/a Eduardo Garcia Olvera, a/k/a Eduardo Olvera Garcia, committed the crime of Felon in Possession of a Firearm and Ammunition in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(8).

I further state that I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives, and that this complaint is based on the following facts:

(See attached Affidavit of Special Agent Rebecca Davison, which is attached hereto and made a part hereof by reference.)

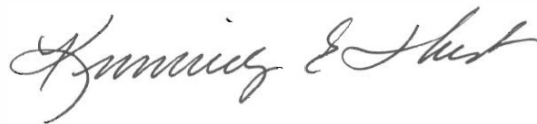
☒ Continued on the attached sheet.



Rebecca Davison  
Special Agent  
Bureau of Alcohol, Tobacco, Firearms, and  
Explosives

Sworn to me on November 16, 2022.

KIMBERLY E. WEST  
UNITED STATES MAGISTRATE JUDGE



Signature of Judicial Officer



**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

I, Rebecca Davison, being duly sworn, does depose and state the following:

**AGENT BACKGROUND AND INTRODUCTION**

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) within the meaning of 18 U.S.C. § 3051, and as such, am an officer of the United States who is authorized to investigate violations of the laws of the United States and to execute warrants issued under the authority of the United States. I have been employed by ATF since December 2020. In 2021, I completed the Criminal Investigator Training Program required by the ATF to be an ATF criminal investigator. I also completed the Special Agent Basic Training Academy required by ATF for all special agents employed by ATF. In connection with my official duties as an ATF Special Agent, I investigate criminal violations of federal firearms laws, federal explosives laws and federal narcotics laws. I have further worked alongside other experienced investigators in relation to firearms and narcotics investigations.

2. This affidavit is made for the limited purpose of establishing probable cause in support of a criminal complaint alleging that EDUARDO NMN GARCIA, hereafter referred to as GARCIA, did possess firearms and ammunition in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(8). GARCIA also uses the pseudonym Eduardo GARCIA OLVERA and Eduardo OLVERA GARCIA.

3. I know GARCIA is a felon who has been convicted of a crime punishable by imprisonment for a term exceeding one year, and therefore prohibited from the possession of firearms and/or ammunition pursuant to 18 U.S.C. §§ 922(g)(1) and 924(a)(8). Specifically, GARCIA has been convicted for the felony offense of Driving Under the Influence in Cherokee County, Case No. CF-2001-49. GARCIA received a prison sentence of 5 years under the custody and control of the Oklahoma Department of Corrections. All terms of imprisonment were

suspended under the rules and conditions of supervised probation. I believe GARCIA knows he is prohibited from possessing firearms and ammunition based off of certified copies of judicial documents containing his signature on the probation review form.

4. The statements made in this affidavit are based in part on: (a) my personal participation in this investigation; (b) information provided to me by other law enforcement officers; and (c) the training and experience of myself and other law enforcement agents and officers.

#### **FACTS SUPPORTING PROBABLE CAUSE**

5. On October 27, 2022, the ATF Tulsa Field Office received crime gun intelligence regarding multiple sales of firearms that were purchased by four members and two associates of the same family, the Lopez family, in Tahlequah, Oklahoma. As a background, Federal Firearms Licensees (FFL) are required to report any transaction over a period of five (5) consecutive business days where two (2) or more pistols or revolvers are sold to any non-licensee. Specifically, one firearm was recovered by law enforcement in Mexico on August 26, 2022, with a time-to-crime of 125 days. Time-to-crime means the time from which the firearm was purchased until the time it was recovered by law enforcement. In total, based upon sales data collected by the ATF, approximately 92 firearms were purchased by the Lopez Family within the last year.

6. Of the purchases found through crime gun intelligence analysis, the most recent purchases occurred on October 6 and 7, 2022. On October 6, 2022, Savannah Lopez (SL) purchased seven (7) firearms from Double D Pawn in Muskogee, Oklahoma. Three of these firearms were .22 caliber pistols, two were .380acp pistols, and one was a 9mm pistol. On the background check form, also known as an ATF Form 4473, SL provided her old address, [Redacted], [Redacted], Tahlequah, Oklahoma, as opposed to her current address, which is [Redacted], Tahlequah, Oklahoma, in violation of 18 U.S.C. § 922(a)(6). Also on October 6, 2022, SL's

husband, Eric Jesus Lopez (EJL), purchased six (6) firearms from Mike's Outdoors in Muskogee, Oklahoma. Five of these firearms were Glock 9mm pistols and one was a Smith & Wesson 9mm pistol. On October 7, 2022, Francisco Hernandez (FH), who was identified by Eric Lopez (EL) as a friend of the family and a firearm purchaser for GARCIA, purchased eight (8) firearms from Double D Pawn. Three of these firearms were 9mm pistols and five were .22 caliber pistols.

7. On November 1, 2022, agents conducted interviews with members of the LOPEZ family, including Savanna Lopez (SL), Eric Lopez (EL), Eric Jesus Lopez (EJL), Christian Lopez (CL), Maria Lopez (ML), and Kortney Pickering (KP), who is CL's girlfriend. SL stated she has been married to EJL since 2018 and they have lived at his parents' (EL and ML) residence located at Redacted, Tahlequah, Oklahoma, for approximately six to eight months. SL admitted in a post-*Miranda* interview with agents that she and her husband, EJL, were directed by his parents, EL and ML, to purchase firearms on behalf of "Lalo". "Lalo" was later positively identified as Eduardo GARCIA. According to SL, GARCIA provided the cash to purchase the firearms. SL said GARCIA accompanied her and EJL to the gun store at least once when she purchased firearms for GARCIA. EJL and GARCIA pointed out which guns to buy. EJL and SL physically carried the guns out of the store. They were then transported back to EL's and ML's residence and left in the garage for GARCIA to pick up. She stated GARCIA didn't come inside of the house to pick up the guns but that EJL and EL would take them out to GARCIA. SL recalled purchasing firearms for GARCIA at Mike's Outdoors and Double D, both in Muskogee, Oklahoma, and H&H Pawn in Stilwell, Oklahoma. SL stated she does not work and her and EJL bought the guns for GARCIA because they needed the money, and it made her feel like she was contributing to the family. SL could not recall how much she and EJL were paid to purchase guns for GARCIA. SL stated she was directed by EJL and GARCIA to falsify the background check form by providing her old address instead of the correct address. SL identified GARCIA's vehicle



as a dark colored lifted truck. She said that she assumed GARCIA had trafficked the guns to Mexico.

8. Also, on November 1, 2022, agents conducted a post-*Miranda* interview with EL. Agents showed EL a photograph obtained from social media of EL standing next to a person law enforcement believed was GARCIA. Agents asked EL to identify the person standing next to him in the photograph, and EL positively identified that person as his cousin, GARCIA (see photograph below; EL is on the left and GARCIA is on the right).



9. EL stated GARCIA lives in a trailer, two trailers up the driveway, off Park Hill Road in Tahlequah, Oklahoma. EL provided GARCIA's phone number as [Redacted]-2303 and stated he (EL) last spoke to him (GARCIA) that day (November 1, 2022) about law enforcement being at EL's house. EL provided three vehicle descriptions that GARCIA typically drives: a white truck, white Ford van, and a black Cadillac Escalade. He described the van as a work van with a big rack on the top to carry ladders. EL said that GARCIA travels to Mexico one to two

times per month and drives either the truck or van across the border into Mexico. GARCIA does not work at a workplace but is a construction worker and has a general store in Queretaro, Mexico. EL told agents that FH, EL, EJJ, SL, and CL all have purchased firearms on behalf of GARCIA and recalled both FH and EJJ buying some in October 2022. These guns from the October purchase were taken straight to the GARCIA's residence. EL stated GARCIA pays him \$100 per gun purchased for him. GARCIA tells EL specifically what guns to purchase and typically requests batches of twenty guns at a time. GARCIA asks EL and his family to purchase guns about once a month. Sometimes the guns are taken straight to GARCIA's house and sometimes they are picked up by GARCIA at EL's house. EL stated GARCIA told him GARCIA does not take them to Mexico himself because he does not take anything illegal across the border. EL would not tell agents who transports the guns to Mexico and stayed silent when asked. EL stated he conducts the purchases on behalf of GARCIA because he needs the extra money for bills. EL gave agents consent to search his cell phone. During a search of the cell phone, agents discovered multiple messages and photos between EL and GARCIA discussing firearms.

10. Later on November 1, 2022, agents conducted a post-*Miranda* interview with EJJ. Agents showed EJJ the same social media photograph (above) of EL and GARCIA. EJJ positively identified GARCIA as "Lalo" and EL as his father. EJJ works detailing cars for about \$300 to \$500 per week. EJJ stated he purchased around 18 to 22 guns in the past year, on four (4) separate occasions. EJJ claimed he could not recall when he last purchased guns (the investigation to date revealed the last purchase was only a month prior). According to EJJ, the most he has purchased in the past at one time was 10 to 12 guns. EJJ remembered it was at Double D's in Muskogee and SL was with him. GARCIA was also present at Double D's when EJJ purchased the guns and GARCIA pointed out which guns he wanted EJJ to buy. GARCIA told EJJ not to give him the guns at the store. Instead, EJJ stated he would leave the guns in the vehicle at his

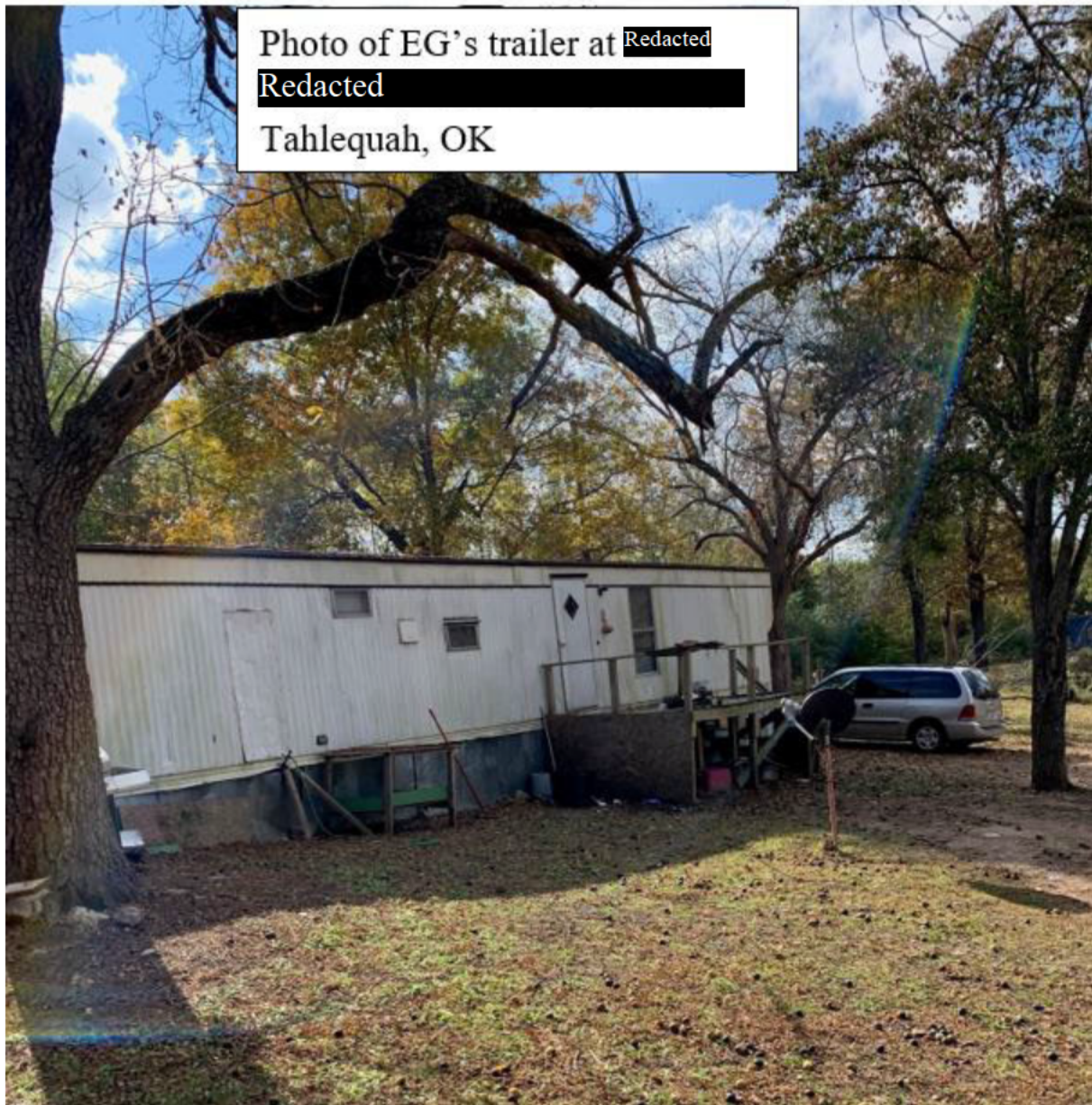
residence and GARCIA would come by some time to take them out of the vehicle and take possession of them. He did not know what GARCIA does with the guns. GARCIA has asked EJJ to purchase guns about three (3) times this year. GARCIA would call EJJ directly to arrange the purchases. EJJ reached out to SL (EJJ's wife) to purchase guns also so that they could spread the purchases out and keep the suspicion down. EJJ did not know how GARCIA was trafficking the guns into Mexico. EJJ stated he did not know how much he was paid to purchase the guns for GARCIA. EJJ gave agents consent to search his cell phone. His cell phone has not yet been analyzed due to having a broken screen.

11. Again, on November 1, 2022, agents conducted a post-*Miranda* interview with CL, who is EL's son. Agents asked CL who "Lalo" was. CL stated "Lalo" is his father's cousin, and CL last saw him ("Lalo") the week prior at EL's residence. CL denied purchasing guns for GARCIA. Agents advised CL of the guns that were reported on a multiple firearm sale and CL told agents he kept some of the guns and traded or sold some. CL gave agents consent to search his cell phone. The cell phone has not yet been analyzed.

12. On November 1, 2022, agents conducted a post-*Miranda* interview with ML. Agents showed ML the same photograph of EL and GARCIA. She positively identified "Lalo" as GARCIA and said he was EL's cousin. She last saw GARCIA about a week prior when he came by her residence. ML stated GARCIA drives a white van and a black Cadillac. ML denied any knowledge of firearms being purchased for GARCIA. ML gave agents consent to search her cell phone. The cell phone has not yet been analyzed.

13. On November 2, 2022, based on the description given by members of the Lopez family of GARCIA's residence, agents located the residence believed to be where GARCIA lives —Redacted Tahlequah, OK, depicted in the photograph below:





14. Agents conducted surveillance at the residence and attempted to contact the occupants by knocking on the front door. After not receiving an answer, agents walked around the residence and observed multiple vehicles and trailers located on the lot. A white Ford van was parked next to the trailer a few feet from the road, with a ladder rack on the roof, bearing a Mexico tag ST-3628-C from the state of Queretaro. This vehicle matched the description given by EL and is depicted in the photograph below:





15. A check of the National Crime Information Center (NCIC) reported the Vehicle Identification Number (VIN), 1FBSS31L89DA65766, on the van was registered to GARCIA and was issued on December 10, 2021. The address on the registration was for another location associated with GARCIA, [Redacted], Tahlequah, OK. Agents also observed a white, enclosed trailer parked behind the residence bearing Oklahoma plate, 586 2P2, depicted in the photograph below. An NCIC query of this plate number also came back to GARCIA and was issued on February 10, 2022.





16. Another trailer behind the residence bearing Oklahoma plate, 9P4 625, was queried in NCIC and was registered to GARCIA at [Redacted], issued on June 21, 2021. This trailer is depicted in the photograph below:





17. On November 4, 2022, agents traveled to 1858 South Park Hill Road, Trailer 10, Tahlequah, OK, to locate and conduct an interview with GARCIA. Agents contacted occupants Fermin Garcia-Lopez (FG) and Salomon Magarena (SM). When agents spoke to FG and SM, they stated they were currently residing at the residence-FG for about three to four months and SM for a few years. SM slept on the couch in the living room. FG slept on the other living room couch and used GARCIA's bed only when GARCIA was out of town. Another occupant who was not

present at the time of the agents' contact, Carlos Mojica (CM), slept in the second bedroom. FG and SM both told agents GARCIA was in Mexico and had been there for about two weeks. Both FG and SM gave agents written consent to search the residence, vehicles, and trailer on the property. FG and SM both denied ownership of any of the firearms, ammunition, or firearm accessories located in the trailer. Agents located Oklahoma vehicle registration in GARCIA's name on the kitchen table with a listed address of [REDACTED], Tahlequah, OK. These items are depicted in the photographs below:



STAPLE HERE

# OKLAHOMA

## Tax Commission

277 4802

Agent: 5116 - FT. GIBSON TAG AGENCY

Date Issued: July 16, 2021  
Letter ID: L1651203592  
Certificate of Registration

VIN	13YGF2024KC125268
Title #	
Year	2019
Make	STAV
Model	
Color	
Plate	7569P0
Plate Type	Private Trailer
Decal	22R895093
Reg Commence	7/16/2021
Reg Expires	7/31/2022

EDUARDO GARCIA AND/OR LUIS E. GARCIA  
Redacted  
TAHLEQUAH OK 74464-3432

SEAL OF THE STATE OF OKLAHOMA  
1907

18. A United States Postal Service mailing envelope addressed to GARCIA at Redacted Redacted, Tahlequah, OK with an expected delivery date of December 4, 2021 was found on the kitchen table. The sender of this mail item was Tankez Coatings, Inc., which is also found on GARCIA's 2020 and 2021 federal tax form W-2. These items are depicted in the photographs below:





a Employee's social security number <b>Redacted- 6477</b>		Copy B—To Be Filed With Employee's FEDERAL Tax Return. OMB No. 1545-0008			
b Employer identification number (EIN) <b>46-4840972</b>		1 Wages, tips, other compensation <b>16500.00</b>	2 Federal income tax withheld <b>950.00</b>		
c Employer's name, address, and ZIP code <b>TANKEZ COATINGS, INC.</b>  <b>9710 FM 79</b>  <b>SUMNER TX 75486</b>		3 Social security wages <b>16500.00</b>	4 Social security tax withheld <b>1023.00</b>		
		5 Medicare wages and tips <b>16500.00</b>	6 Medicare tax withheld <b>239.25</b>		
d Control number		7 Social security tips	8 Allocated tips		
e Employee's name, address, and ZIP code <b>EDUARDO GARCIA OLVERA</b> <b>Redacted</b> <b>SUMNER TX 75486</b>		9	10 Dependent care benefits		
		11 Nonqualified plans	12a See instructions for box 12		
		13 Statutory employee <input type="checkbox"/> Retirement plan <input type="checkbox"/> Third-party sick pay <input type="checkbox"/>	12b		
		14 Other	12c		
			12d		
15 State Employer's state ID number <b>9</b>	16 State wages, tips, etc.	17 State income tax	18 Local wages, tips, etc.	19 Local income tax	20 Locality name

**W-2 Wage and Tax Statement** **2020**

Department of the Treasury - Internal Revenue Service

NTF 252078 0 BW2B

19. A photocopy of a United States passport for GARCIA's son, Eduardo Garcia, was found on the kitchen table along with two copies of his certificate of live birth, bearing a date of birth of **Redacted** 1998. These items are depicted in the photographs below. GARCIA was listed as the father of Eduardo Garcia and Sheila Dawn Garcia was listed as the mother. Sheila Garcia's maiden name was listed as Flute and a date of birth of **Redacted** 1977.





**CERTIFICATE OF LIVE BIRTH**  
STATE OF OKLAHOMA DEPARTMENT OF HEALTH  
LOCAL FILE NO. 11366 STATE FILE NO. 135-98-046991

1. CHILD'S NAME (Print, Middle, Last) **Joseph Eduardo GARCIA**

2. DATE OF BIRTH (Month, Day, Year) **Redacted** 1998 10:37 P. M.

3. SEX **Male**

4. CITY, TOWN, OR LOCATION OF BIRTH **Tahlequah**

5. FACILITY NAME (If not institution, give street and number) **Cherokee W. W. HASTINGS INDIAN HOSPITAL**

6. PLACE OF BIRTH ☒ Hospital ☐ Free-standing Birthing Center ☐ Clinic/Doctor's Office ☐ Residence

7. I certify that this child was born alive at the place and time ☒ **Redacted** 1998

8. ATTENDANT'S NAME AND TITLE (If other than certified, type name) **Mary Ann Bednarek, C.N.M.**

9. ATTENDANT'S MAILING ADDRESS **100 South Bliss Avenue Tahlequah Oklahoma 74464**

10. DATE RECEIVED BY LOCAL REGISTRAR **Redacted** 98

11. STATE REGISTRAR'S SIGNATURE **Redacted** 1998

12. CERTIFIER'S NAME AND TITLE (Type/print) **Mary Ann Bednarek, C.N.M.**

13. DATE OF BIRTH (Month, Day, Year) **Redacted** 1977

14. BIRTHPLACE (State or Foreign Country) **Oklahoma**

15. RESIDENCE-STATE **Oklahoma**

16. COUNTY **Cherokee**

17. CITY/TOWN/ZIP **Park Hill**

18. STREET AND NUMBER **Redacted**

19. INSIDE CITY LIMITS? (Yes or No) **No**

20. MOTHER'S MAILING ADDRESS (If same as residence, enter Zip Code only) **74451**

21. FATHER'S NAME (Print, Middle, Last) **Eduardo GARCIA**

22. DATE OF BIRTH (Month, Day, Year) **Redacted** 1969

23. BIRTHPLACE (State or Foreign Country) **Mexico**

24. Permission given to provide Social Security Administration with the necessary birth information to issue a Social Security Number **Yes**

25. I certify that the personal information provided on this certificate is correct to the best of my knowledge and belief.

Signature of Parent **Sheila Garcia**

CLERK

THIS LINE FOR USE OF STATE REGISTRAR

DATE CORRECTIONS MADE

ITEMS CORRECTED

AUTHORITY

Thursday, October 11, 2013 5:55:28 AM

**CERTIFICATE OF LIVE BIRTH**  
STATE OF OKLAHOMA DEPARTMENT OF HEALTH  
LOCAL FILE NO. 11366 STATE FILE NO. 135-98-046991

1. CHILD'S NAME (Print, Middle, Last) **Joseph Eduardo GARCIA**

2. DATE OF BIRTH (Month, Day, Year) **Redacted** 1998 10:37 P. M.

3. SEX **Male**

4. CITY, TOWN, OR LOCATION OF BIRTH **Tahlequah**

5. FACILITY NAME (If not institution, give street and number) **Cherokee W. W. HASTINGS INDIAN HOSPITAL**

6. PLACE OF BIRTH ☒ Hospital ☐ Free-standing Birthing Center ☐ Clinic/Doctor's Office ☐ Residence

7. I certify that this child was born alive at the place and time ☒ **Redacted** 1998

8. ATTENDANT'S NAME AND TITLE (If other than certified, type name) **Mary Ann Bednarek, C.N.M.**

9. ATTENDANT'S MAILING ADDRESS **100 South Bliss Avenue Tahlequah Oklahoma 74464**

10. DATE RECEIVED BY LOCAL REGISTRAR **Redacted** 98

11. STATE REGISTRAR'S SIGNATURE **Redacted** 1998

12. CERTIFIER'S NAME AND TITLE (Type/print) **Mary Ann Bednarek, C.N.M.**

13. DATE OF BIRTH (Month, Day, Year) **Redacted** 1977

14. BIRTHPLACE (State or Foreign Country) **Oklahoma**

15. RESIDENCE-STATE **Oklahoma**

16. COUNTY **Cherokee**

17. CITY/TOWN/ZIP **Park Hill**

18. STREET AND NUMBER **Redacted**

19. INSIDE CITY LIMITS? (Yes or No) **No**

20. MOTHER'S MAILING ADDRESS (If same as residence, enter Zip Code only) **74451**

21. FATHER'S NAME (Print, Middle, Last) **Eduardo GARCIA**

22. DATE OF BIRTH (Month, Day, Year) **Redacted** 1969

23. BIRTHPLACE (State or Foreign Country) **Mexico**

24. Permission given to provide Social Security Administration with the necessary birth information to issue a Social Security Number **Yes**

25. I certify that the personal information provided on this certificate is correct to the best of my knowledge and belief.

Signature of Parent **Sheila Garcia**

CLERK

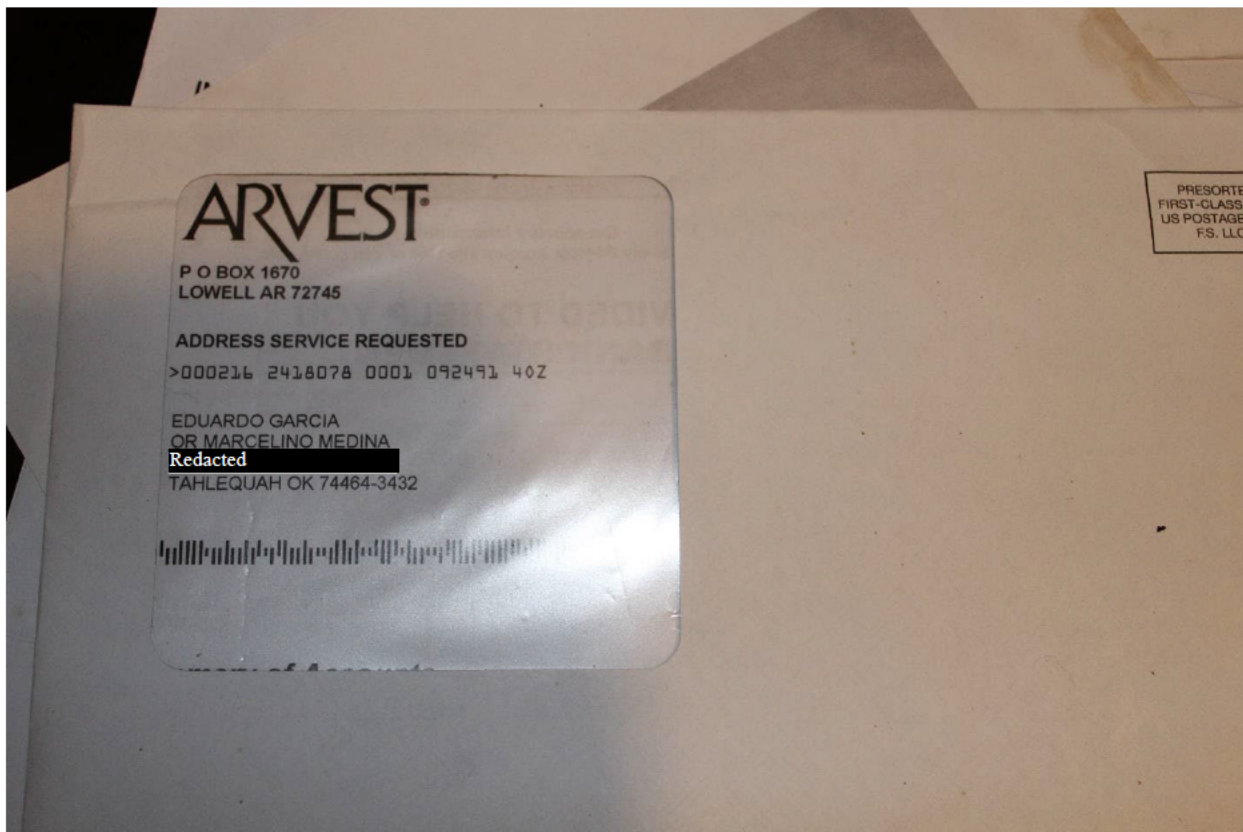
THIS LINE FOR USE OF STATE REGISTRAR

DATE CORRECTIONS MADE

ITEMS CORRECTED

AUTHORITY

20. Additional mail addressed to GARCIA at [Redacted] (depicted in the photograph below) was found on the kitchen table. Marcelino Medina's name was also on the mail. Agents have not identified Medina's relation to GARCIA at this time.



21. Agents recovered three (3) firearms from the bedroom closet where GARCIA resides. A Mossberg model 185k, 20ga, bolt-action shotgun, bearing no serial number and a Browning, model A-5, 20ga, semi-automatic shotgun, bearing serial number 07218NV231 were found in the front corner of the closet, as depicted in the photographs below:





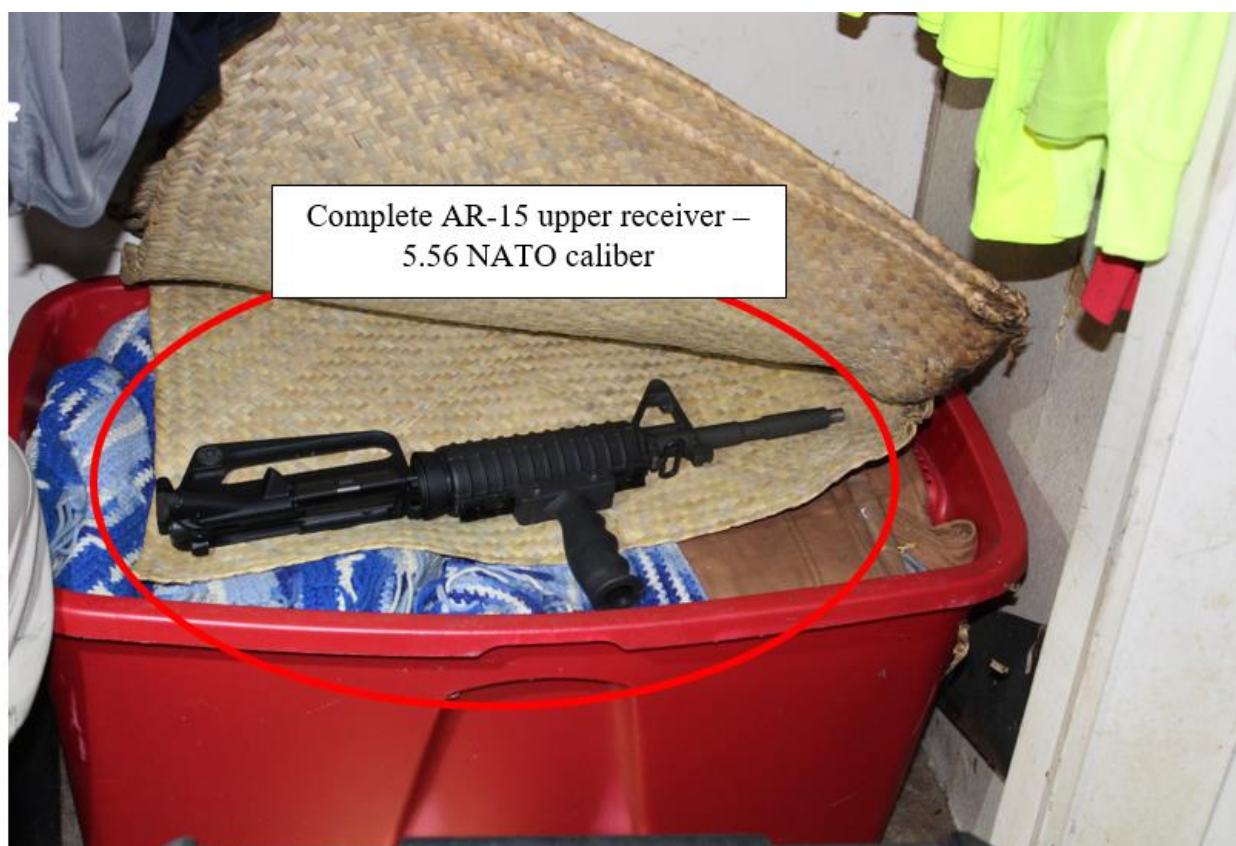
22. A Ruger model PC Carbine, 9mm caliber, semi-automatic rifle, bearing serial number 912-66302 was found in a brown, Smith & Wesson cardboard box inside of the closet, as depicted in the photographs below:







23. A completely built AR-15 style upper receiver in 5.56 NATO caliber was found wrapped up inside of a red, plastic tote inside of the closet, as depicted in the photographs below.





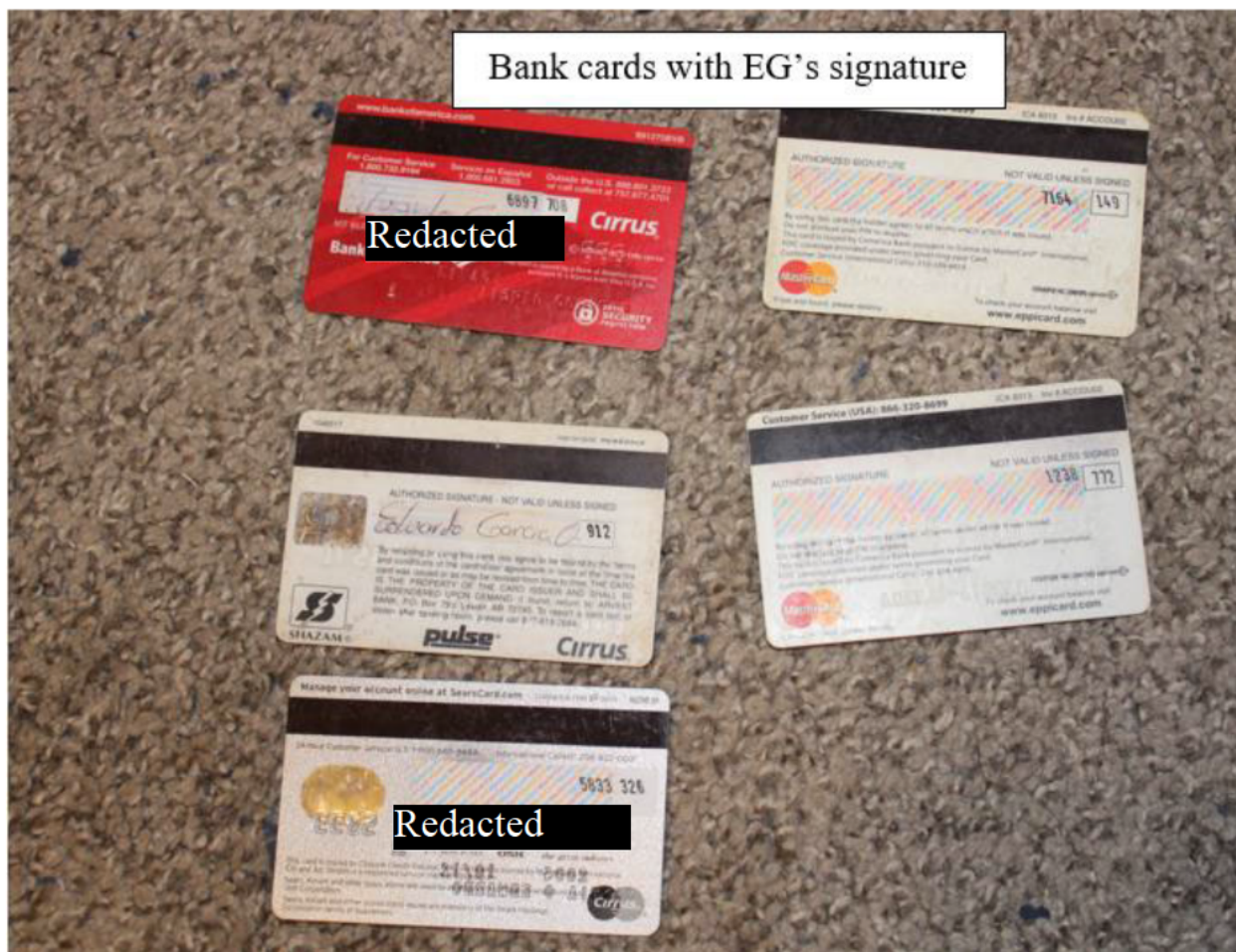
24. Multiple bank cards in GARCIA's name and photographs of GARCIA were found in GARCIA's bedroom. Federal tax returns and Department of Treasury Form W-2s belonging to GARCIA and bearing GARCIA's social security number were also found in the bedroom. The address listed on GARCIA's W-2 was [REDACTED], the same as the vehicles in his name. These items are depicted in the photographs below:



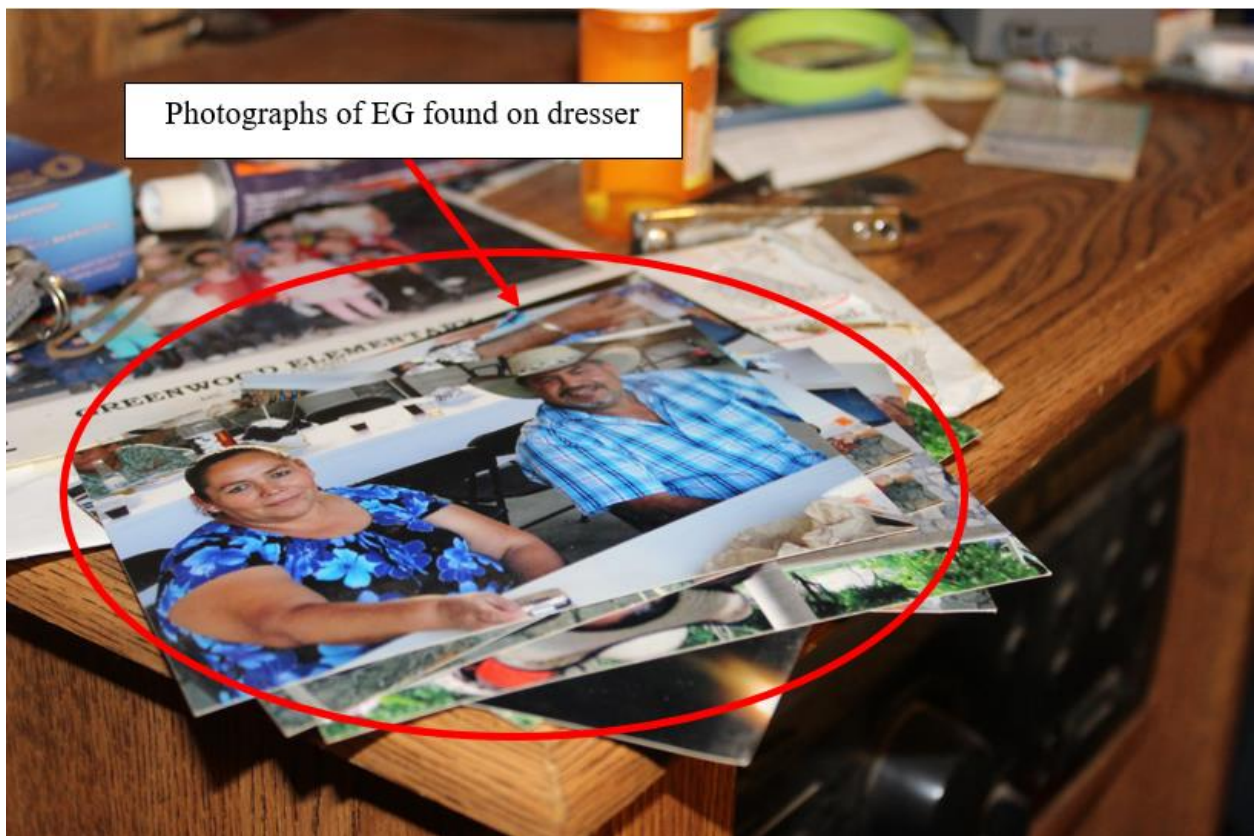
Bank card with EG's name and picture



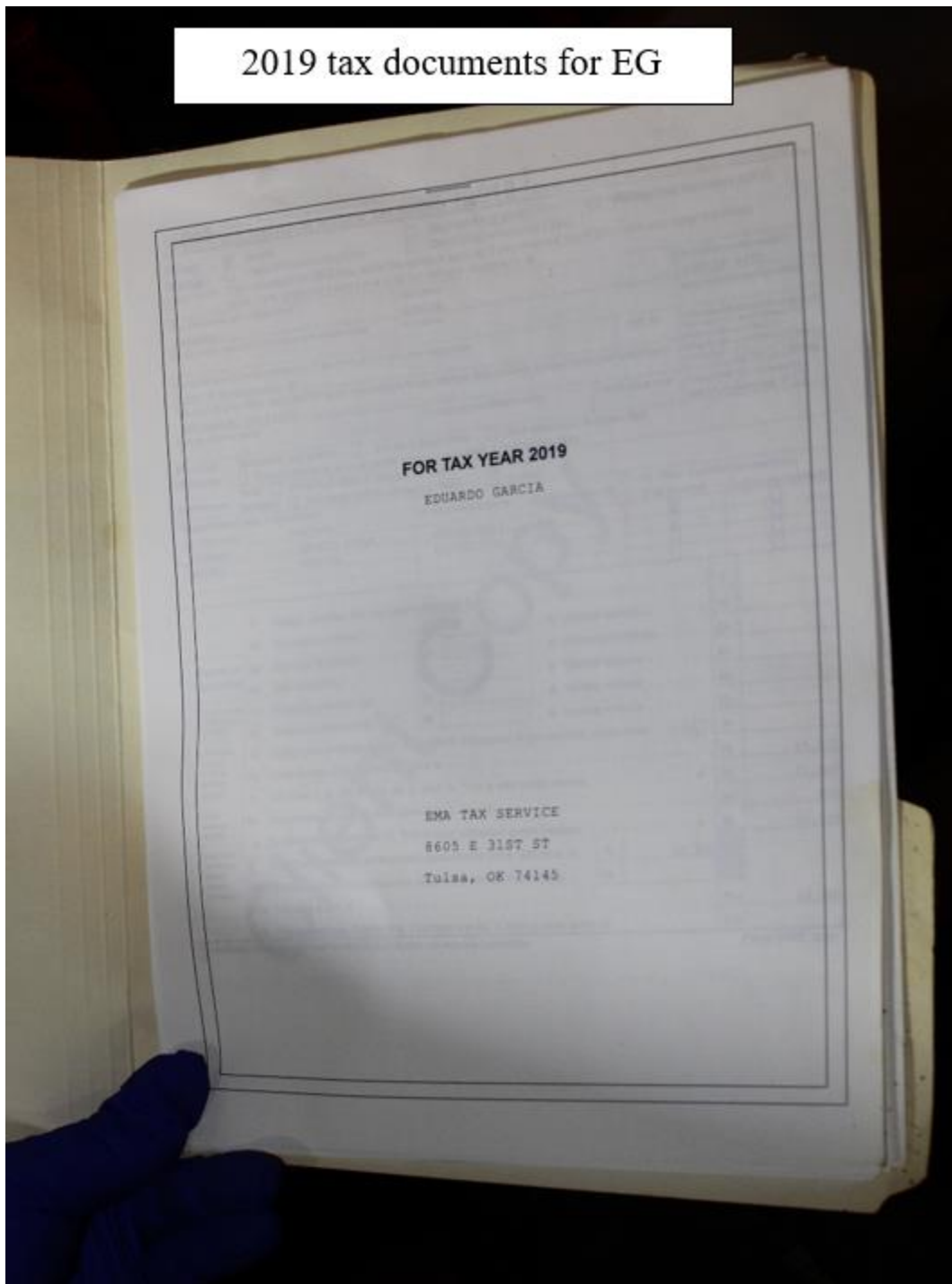












## 2020 federal tax return for EG

a Employee's social security number <b>Redacted</b> 6477		Copy B—To Be Filed With Employee's FEDERAL Tax Return. OMB No. 1545-0008	
b Employer identification number (EIN) 46-4840972		1 Wages, tips, other compensation 16500.00	2 Federal income tax withheld 950.00
c Employer's name, address, and ZIP code TANERZ COATINGS, INC. <b>Redacted</b>		3 Social security wages 16500.00	4 Social security tax withheld 1023.00
SUMNER TX 75486		5 Medicare wages and tips 16500.00	6 Medicare tax withheld 239.25
d Control number		7 Social security tips	8 Allocated tips
e Employee's name, address, and ZIP code EDUARDO GARCIA OLVERA <b>Redacted</b> SUMNER TX 75486		9	10 Dependent care benefits
		11 Nonqualified plans	12a See instructions for box 12
		13 Statutory employee <input type="checkbox"/> Retirement plan <input type="checkbox"/> Third-party sick pay <input type="checkbox"/>	12b
		14 Other	12c
			12d
15 State Employer's state ID number	16 State wages, tips, etc.	17 State income tax	18 Local wages, tips, etc.
19 Local income tax	20 Locality name		

Form **W-2** Wage and Tax Statement

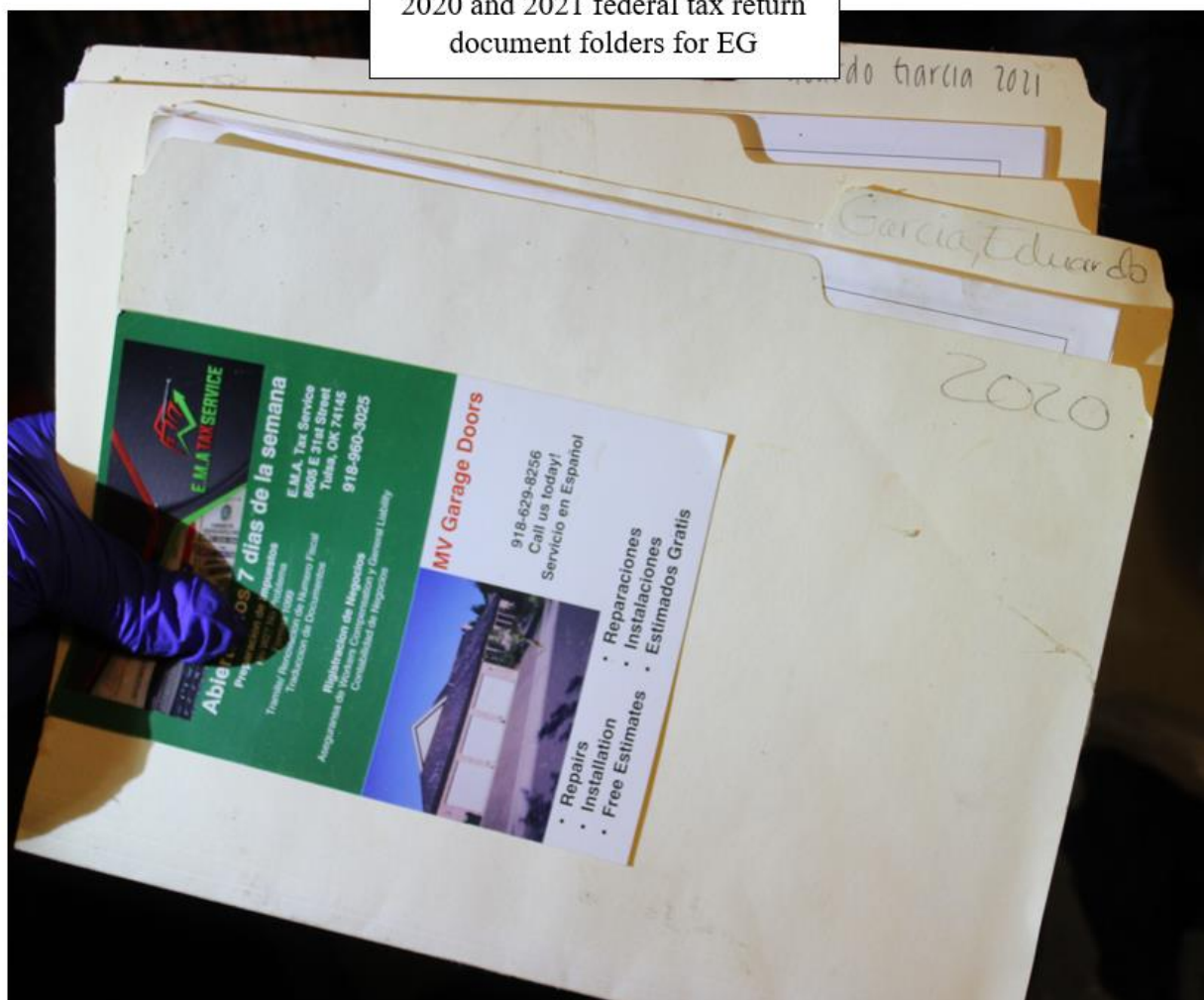
This information is being furnished to the Internal Revenue Service.

2020

Department of the Treasury - Internal Revenue Service

NTF 255078 0 BW2B BW2EB

2020 and 2021 federal tax return  
document folders for EG



Receipt for 2021 federal tax return  
filing service EG. Dated February  
10, 2022

RECEIPT No. 569950

DATE 2/10/22

FROM Eduardo Garua \$110.00

FOR RENT Taxes 2021

PAID BY *Ali*

08 \$ : 70  
FD: \$ 7212

NORTH TEXAS TX PS  
DALLAS TX 7500  
5 JAN 2022 PM

**2021 federal tax return for EG**

22222		a Employee's social security number <b>Redacted</b> 6477		Copy 1—For State, City, or Local Tax Department OMB No. 1545-0008			
b Employer identification number (EIN) 46-4840972				1 Wages, tips, other compensation 10360.00		2 Federal income tax withheld	
c Employer's name, address, and ZIP code TANKEZ COATINGS, INC. <b>Redacted</b> SUMNER TX 75486				3 Social security wages 10360.00		4 Social security tax withheld 642.32	
d Control number				5 Medicare wages and tips 10360.00		6 Medicare tax withheld 150.22	
e Employee's name, address, and ZIP code EDUARDO <b>Redacted</b> GARCIA OLVERA TAHLEQUAH OK 74464				7 Social security tips		8 Allocated tips	
				9		10 Dependent care benefits	
				11 Nonqualified plans		12a	
				13 Statutory employee <input type="checkbox"/> Retirement plan <input type="checkbox"/> Third-party sick pay <input type="checkbox"/>		12b	
				14 Other Per diem 7350.00		12c	
						12d	
15 State Employer's state ID number		16 State wages, tips, etc.		17 State income tax		18 Local wages, tips, etc.	
						19 Local income tax	
						20 Locality name	

Form **W-2** Wage and Tax Statement **2021** Department of the Treasury - Internal Revenue Service

25. Various manufacturer and calibers of ammunition were found in the living room and laundry room, as depicted in the photographs below:



Various colors of duct tape and box of multiple sizes of clear, plastic baggies found inside of DishTV box.

Various manufacturer, calibers, and quantities of ammunition found in the living room entertainment center.



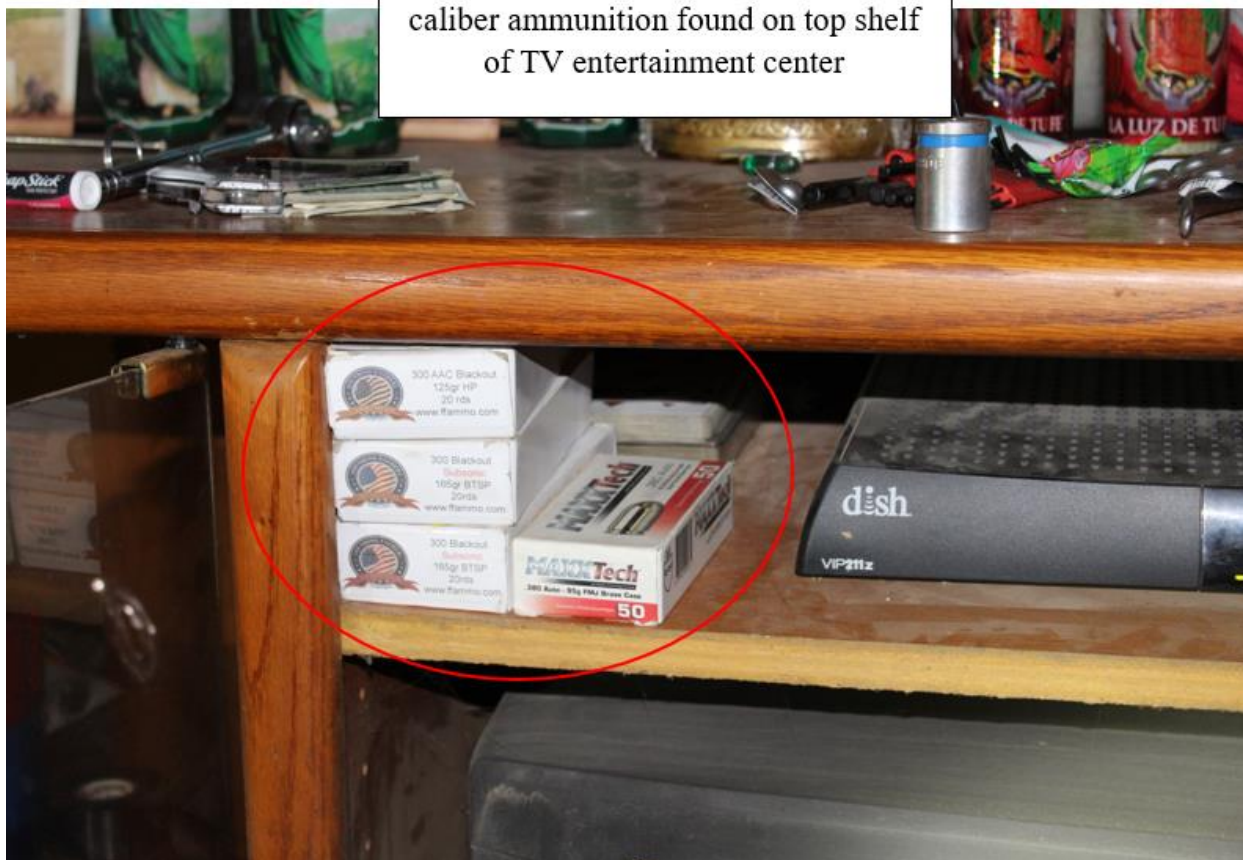








300 AAC Blackout and .380 Auto  
caliber ammunition found on top shelf  
of TV entertainment center

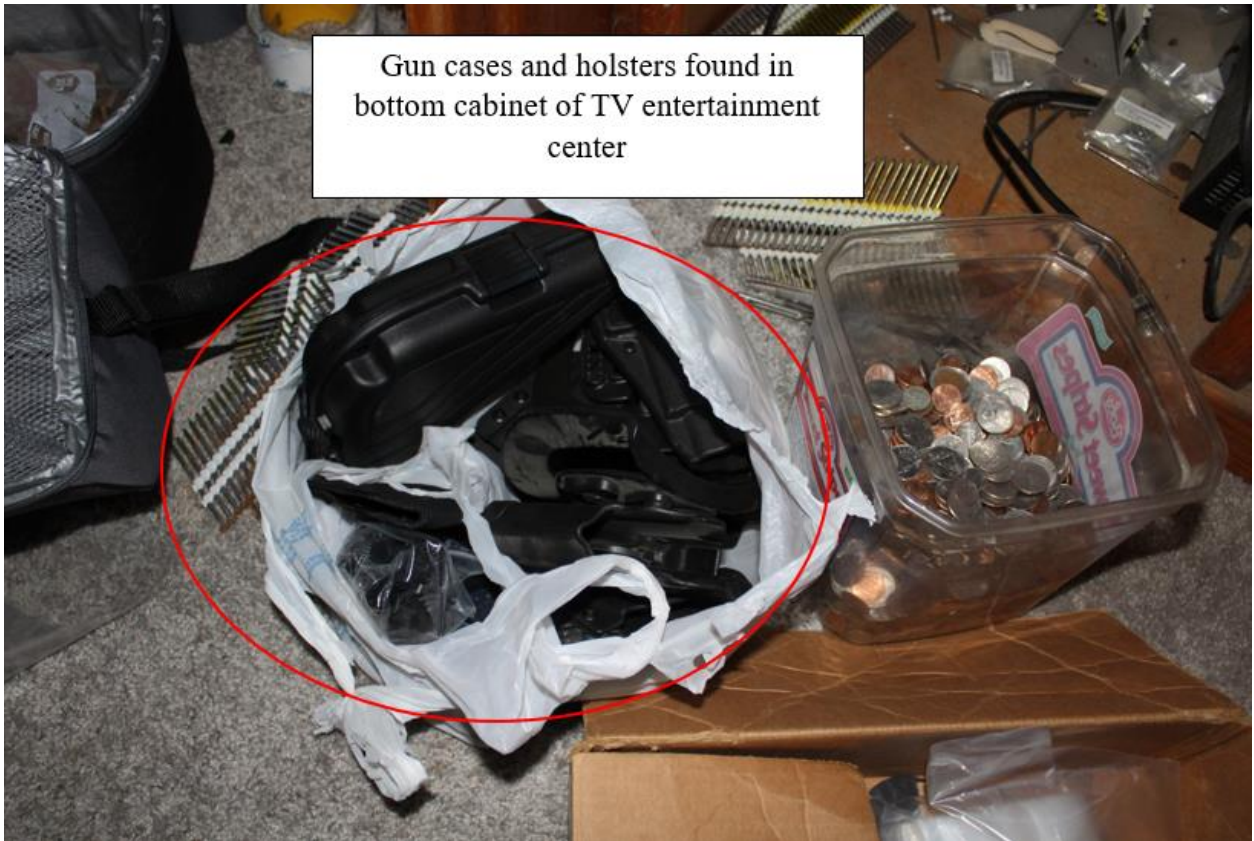




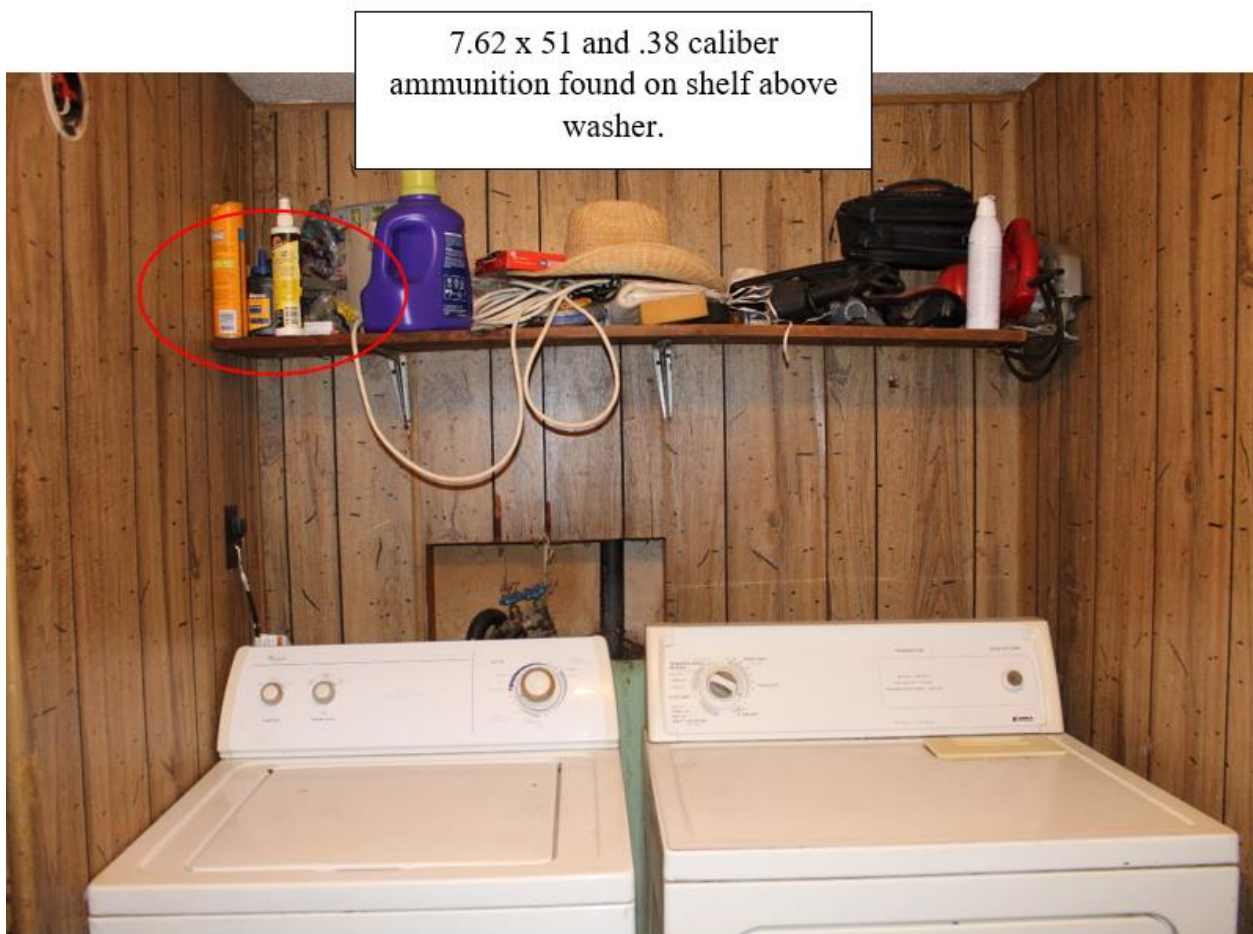




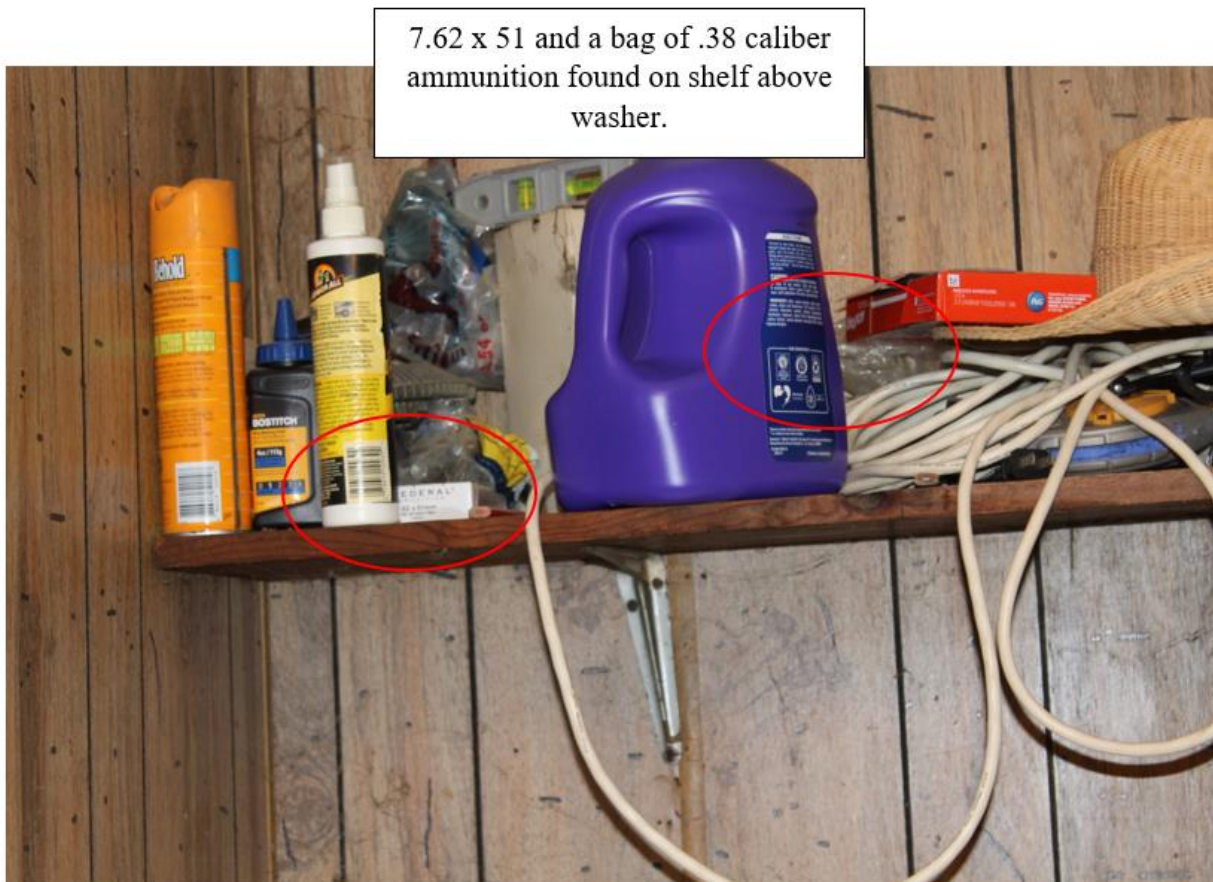












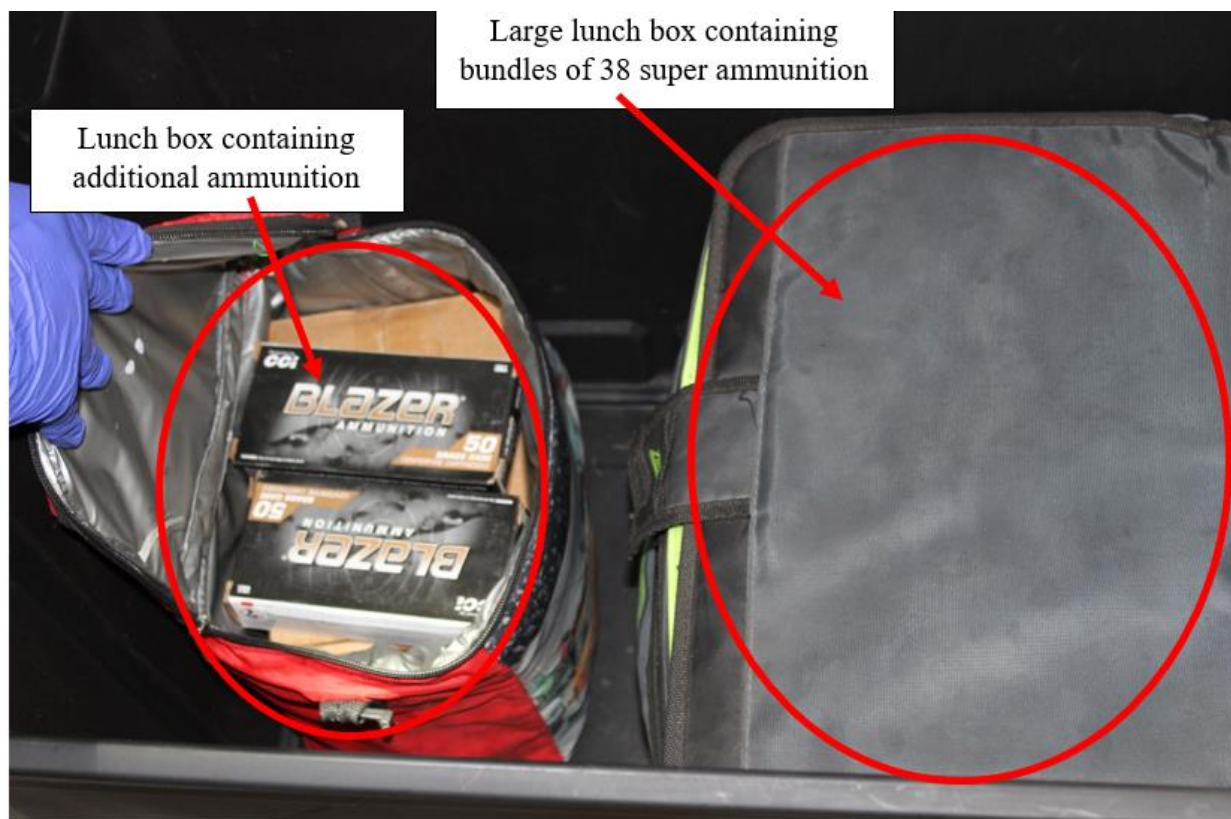
26. In the living room, agents located thirteen (13) bundles of .38 super caliber ammunition that was packaged in multiple layers of materials including plastic, aluminum foil, and tape. The bundles were placed in a lunch box, inside of an enclosed plastic tote. Black duct tape matching the tape used to wrap the bundles was located on the countertop just above the plastic tote. These items are depicted in the photographs below:





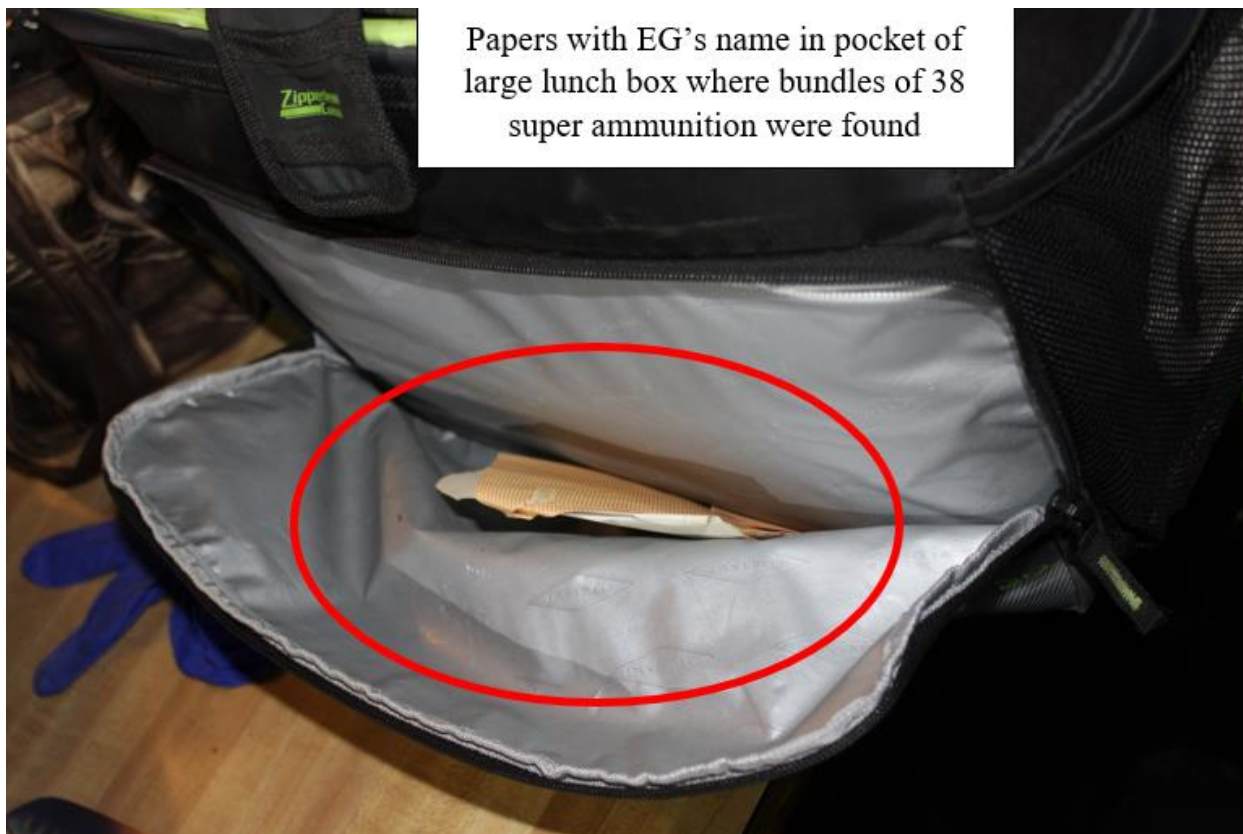
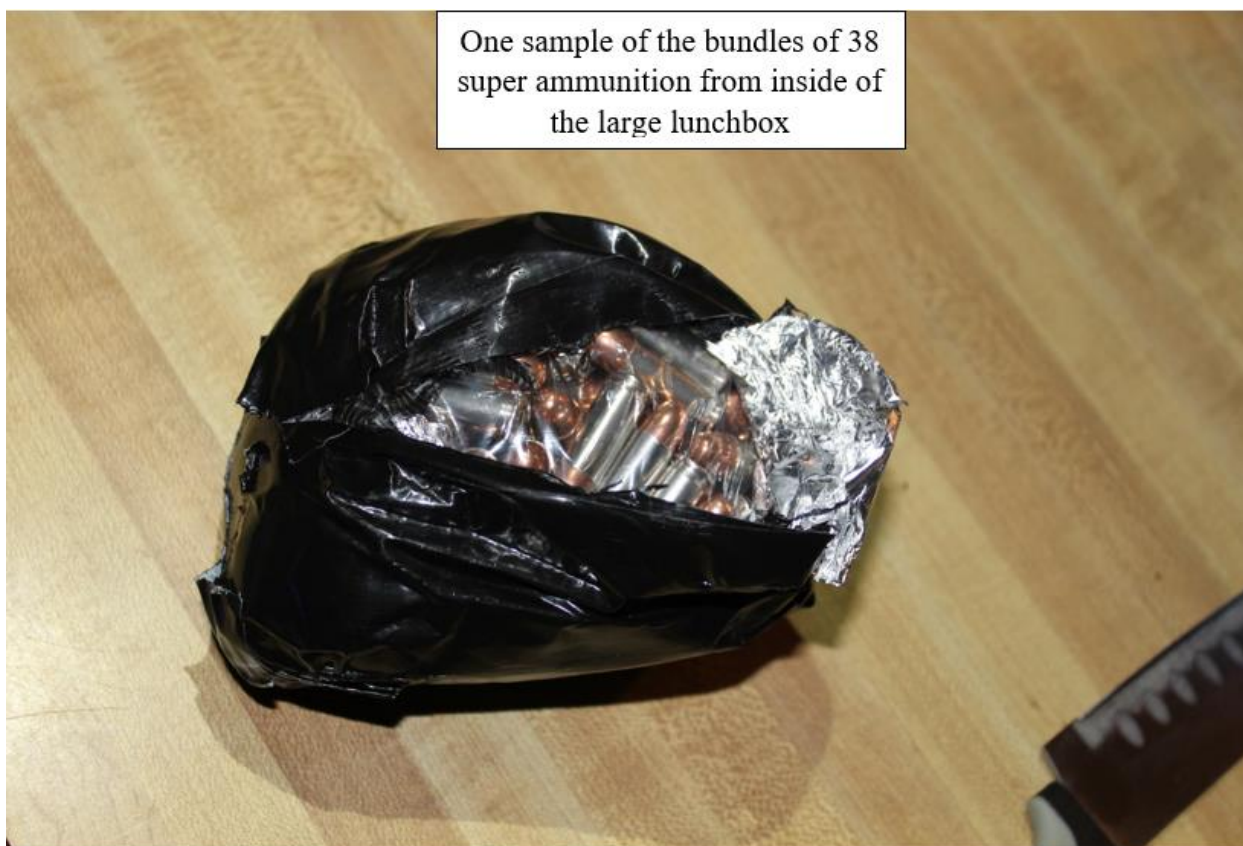














Close up of papers found in large lunch box

**HIPOCAMPO MÉDICO**  
Servicios Integrales de Salud

**DRA. GUADALUPE MONSERRAT SÁNCHEZ TRINIDAD**  
UNIVERSIDAD DEL NORESTE  
MÉDICO CIRUJANO CED. PROF. 11983377

FECHA: 30/12/2021

NOMBRE DEL PACIENTE: Edardo García Oliva EDAD: 52

1. minerva 120ml  
60 gotas cada 12 hrs. 2 meses.

2. Enebrol 120ml  
40 gotas cada 8 hrs. 2 meses.

3.

4. I. A. R  
6 gotas en la noche.

6 gotas  
noche

Peso: 130/90  
TA: 130/90  
FC: 100 ml/h.  
FR: 120 gotas = 1 litro  
SATO2:  
Temp:  
Dxtc:

Rafael Ramírez #16 Col. Magisterio  
Jalpan de Serra, Qro.  
Tel. 441 204 6272  
Tel. 442 592 8087  
Correo: hmedico@hotmail.com

MEDICINA GENERAL Y URGENCIAS  
@HipocampoMed  
441 204 6272  
Correo: monserrat.santr@gmail.com

Close up of papers found in large lunch box

**Dra. Yolanda Quiró Cruz**  
B. U. A. P.  
MÉDICO - CIRUJANO Y PARTERO  
CED. PROF. 3025423

Nombre: Edardo García Oliva

1- Proxalin Plus Feb  
Dar 1 cl 6 hr x 3 días

2- Claribromicuro Feb 200 mg  
Dar 1 cl 12 hr x 7 días

3- Loratadina 1 Bet Feb  
Dar 1 cl 8 hr x 3 días

**Ultrasonido Podólogo**  
Edad 53 Fecha 23/01/22  
T/A 160/100  
T 87.7  
Peso:  
Talla:  
Set 96  
P 114

CALLE HIDALGO No. 8 COL. CENTRO  
JALPAN DE SERRA, QUERETARO

Dra. Yolanda Quiró Cruz

27. Agents located nineteen (19) empty gun boxes in the residence. Nine (9) various manufacturer boxes were stacked right next to the front door, two (2) shotgun cases were on top of the totes containing the bundles of ammunition, six (6) various manufacturer boxes were underneath the couch, and two (2) were in GARCIA's closet. Five (5) of the boxes found stacked by the front door had serial numbers on the outside of them and were matched to firearms purchased by FH on October 7, 2022. These items are depicted in the photographs below. Agents asked FG and SM if any of the firearms and ammunition belonged to them to which they stated no. Neither FG or SM have legal United States citizenship documentation and therefore cannot possess firearms.

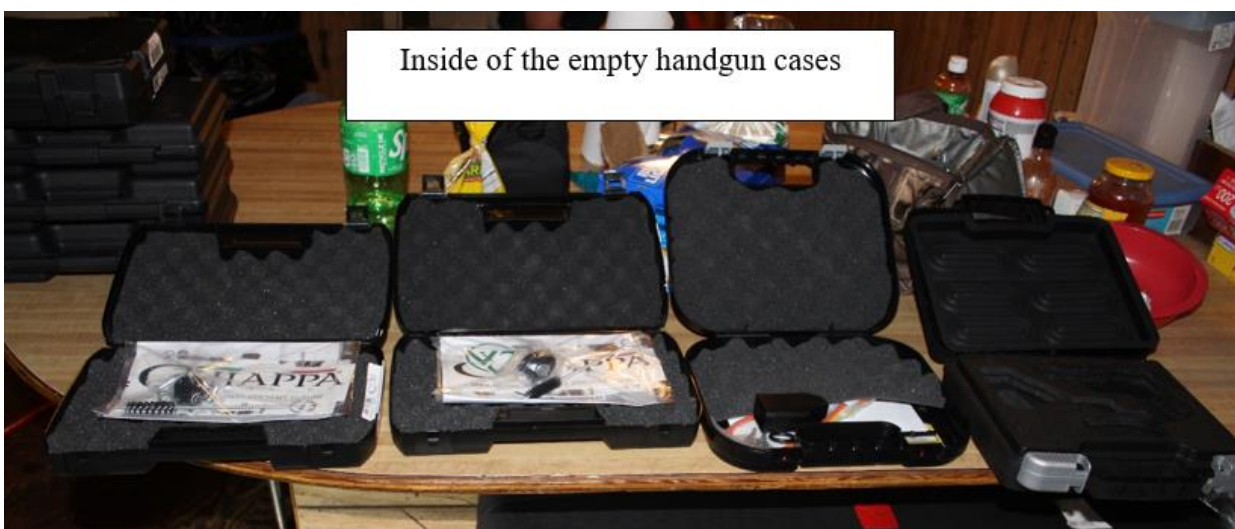
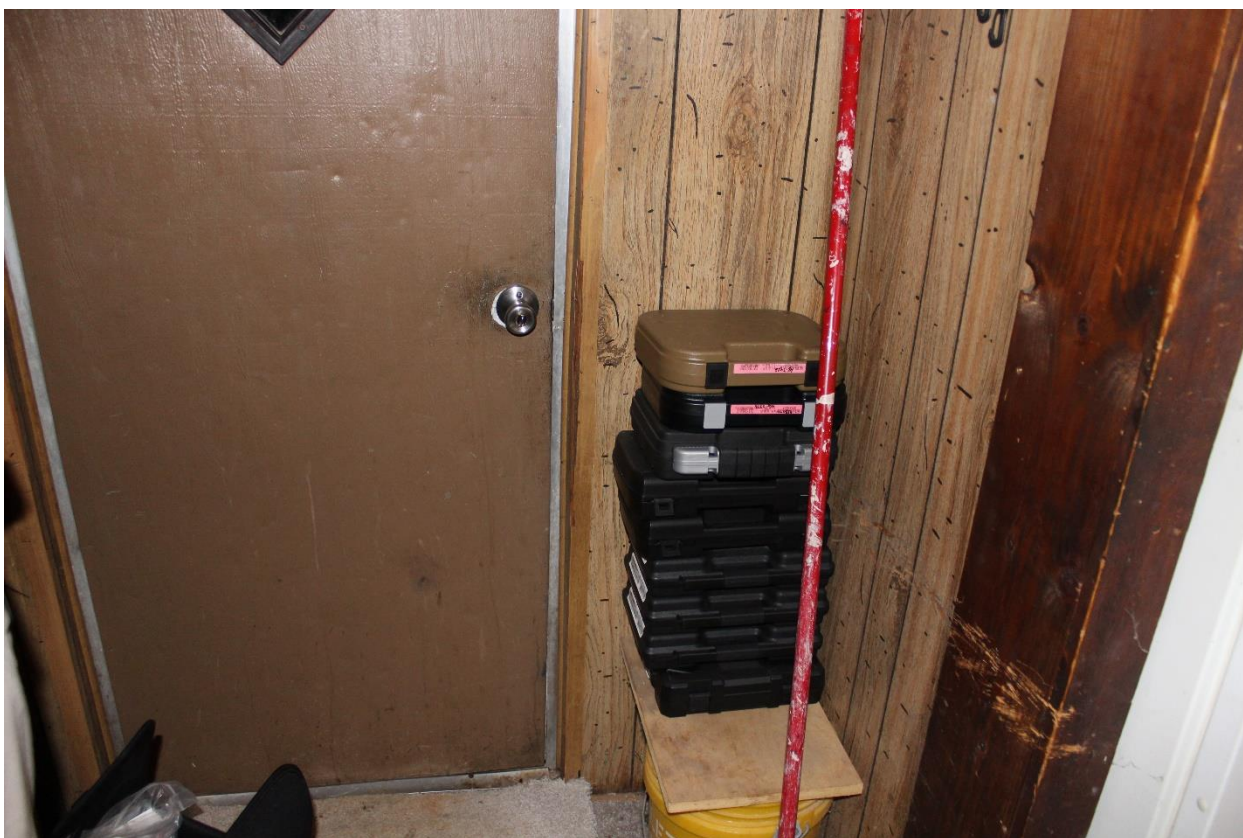






Nine empty handgun cases stacked in the entryway corner next to the front door





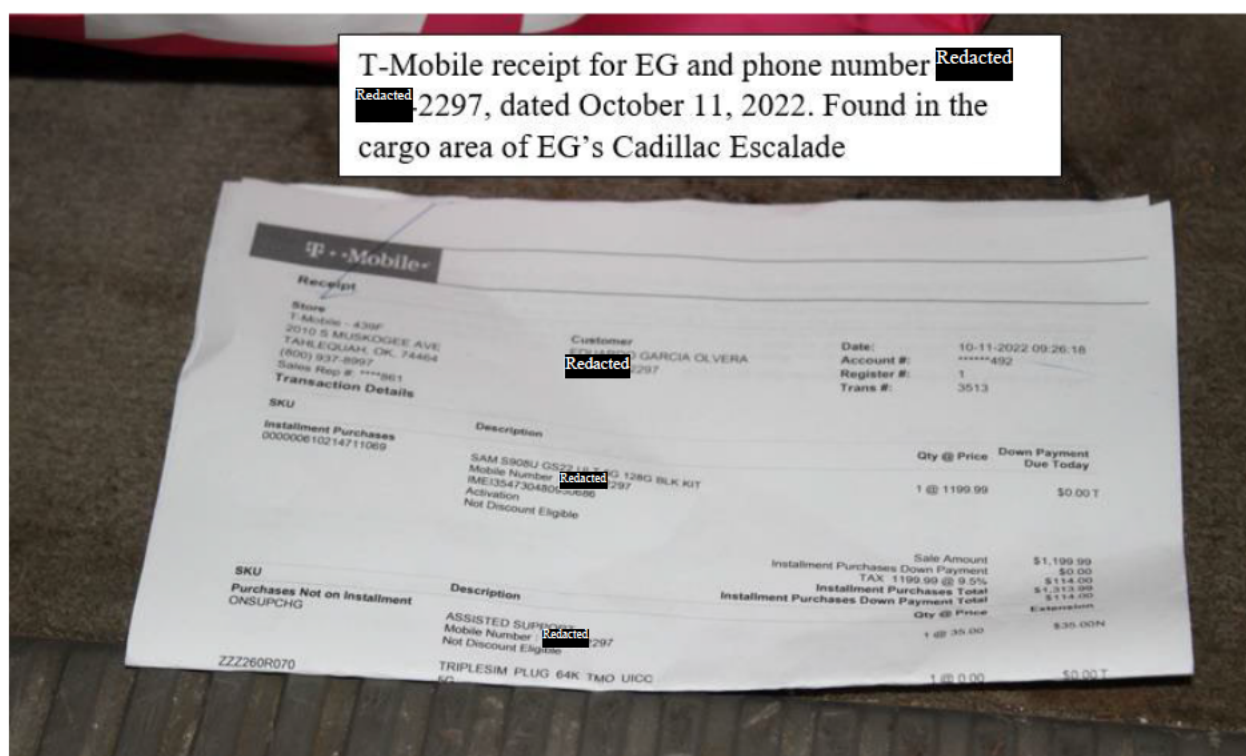




28. FG supplied keys to the black Cadillac Escalade. A T-Mobile shopping bag was in the cargo area of the black Cadillac Escalade with a receipt dated October 11, 2022, containing GARCIA's name and an additional phone number other than what was previously known to be GARCIA's: [REDACTED]-2297. These items are depicted in the photographs below.







**Mobile**

Receipt

le - 439F  
MUSKOGEE AVE  
QUAH, OK, 74464  
7-8997  
p #: \*\*\*\*861  
tion Details

**Customer**  
EDUARDO GARCIA OLVERA  
[Redacted] 2297

**Date:** 10-11-2021  
**Account #:** \*\*\*\*\*492  
**Register #:** 1  
**Trans #:** 3513

Purchases	Description	Qty @ Price	Do
14711069	SAM S908U GS22 ULT 5G 128G BLK KIT Mobile Number : [Redacted] 2297 IMEI354730480950686 Activation Not Discount Eligible	1 @ 1199.99	

Sale Amount  
Installment Purchases Down Payment  
TAX 1199.99 @ 9.5%

Tribal vehicle registration in EG's son's name and EG.  
Found in the center console of EG's Cadillac Escalade.  
Dated August 8, 2022

**United Keetoowah Band of Cherokees**  
**Certification of Motor Vehicle Registration**

Body Type UT	Model Year 2006	VIN IGYEK63N56R120627	Roll Number 0	Purchase Price \$3,999.00
Make Cadi	Gross Weight 0	Class Regular	Title Number TT-1011555-TM	Date Issued 8/8/2022
Model Escalade	Transaction Date 8/8/2022	Registration Expires 8/31/2023	Color BLACK	Years Reg. 16
Previous Reg.: Title 761004426650	Tag: P670	Pers. Tag: 92516	Decal: 88150	Tax Exempt No
Current Reg.: Title TT-1011555-TM			Roll Number: 0	Jurisdiction: AR
				Total Fee \$12.57

Name  
Garcia, Joseph or Eduardo Garcia-Olvera  
[Redacted]  
Tahlequah, OK 74464

I hereby certify that according to the records of the United Keetoowah Band, The person named above is the owner of the vehicle described and that all taxes and fees upon such vehicle have been duly paid for the period and in the amount indicated.

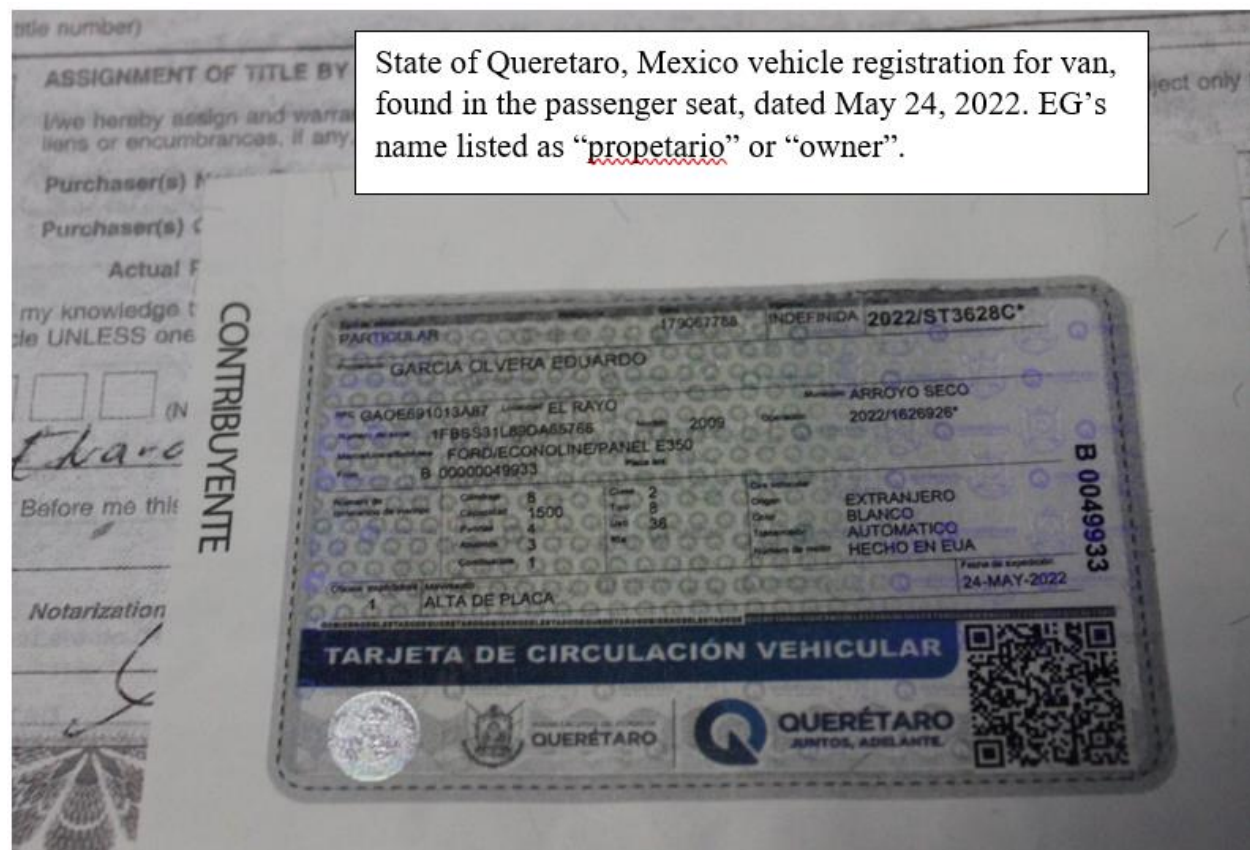




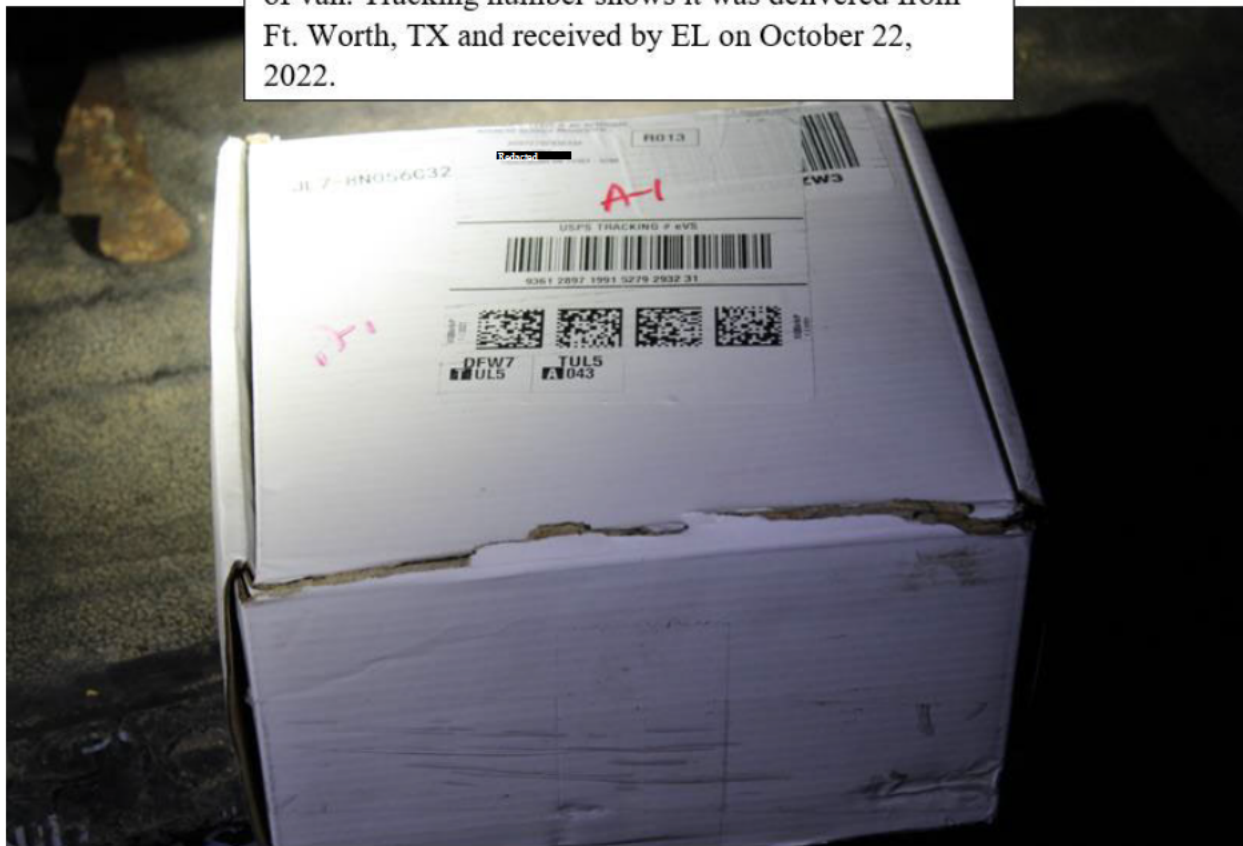
State of Queretaro, Mexico vehicle registration for van,  
found in the passenger seat, dated May 24, 2022



State of Queretaro, Mexico vehicle registration for van,  
found in the passenger seat, dated May 24, 2022. EG's  
name listed as "propetario" or "owner".



Parcel addressed to EL at [Redacted] Found inside of van. Tracking number shows it was delivered from Ft. Worth, TX and received by EL on October 22, 2022.



29. Continuing on November 4, 2022, agents conducted an interview with Francisca Olvera and Marcelino Olvera, GARCIA's aunt and uncle, at their residence located at [Redacted] [Redacted], Tahlequah, OK. Agents asked if GARCIA resided at the residence. They stated he did not. They said GARCIA lived in a trailer park near Tahlequah Lumber. Agents showed them the below photograph of the trailer at [Redacted] and asked if that was where GARCIA lived. They confirmed it was GARCIA's residence. Agents asked why GARCIA used their address on his vehicles' registrations and other mail. They stated he used their address because they were always home to receive mail and because he wasn't always home at his trailer. They last saw GARCIA a couple of weeks prior when he came by to have coffee before he traveled to Mexico shortly thereafter. Agents asked them who lives in the trailer park off Fox Street in Tahlequah and they said GARCIA's son, Eduardo "Lalito" Garcia, lived there.



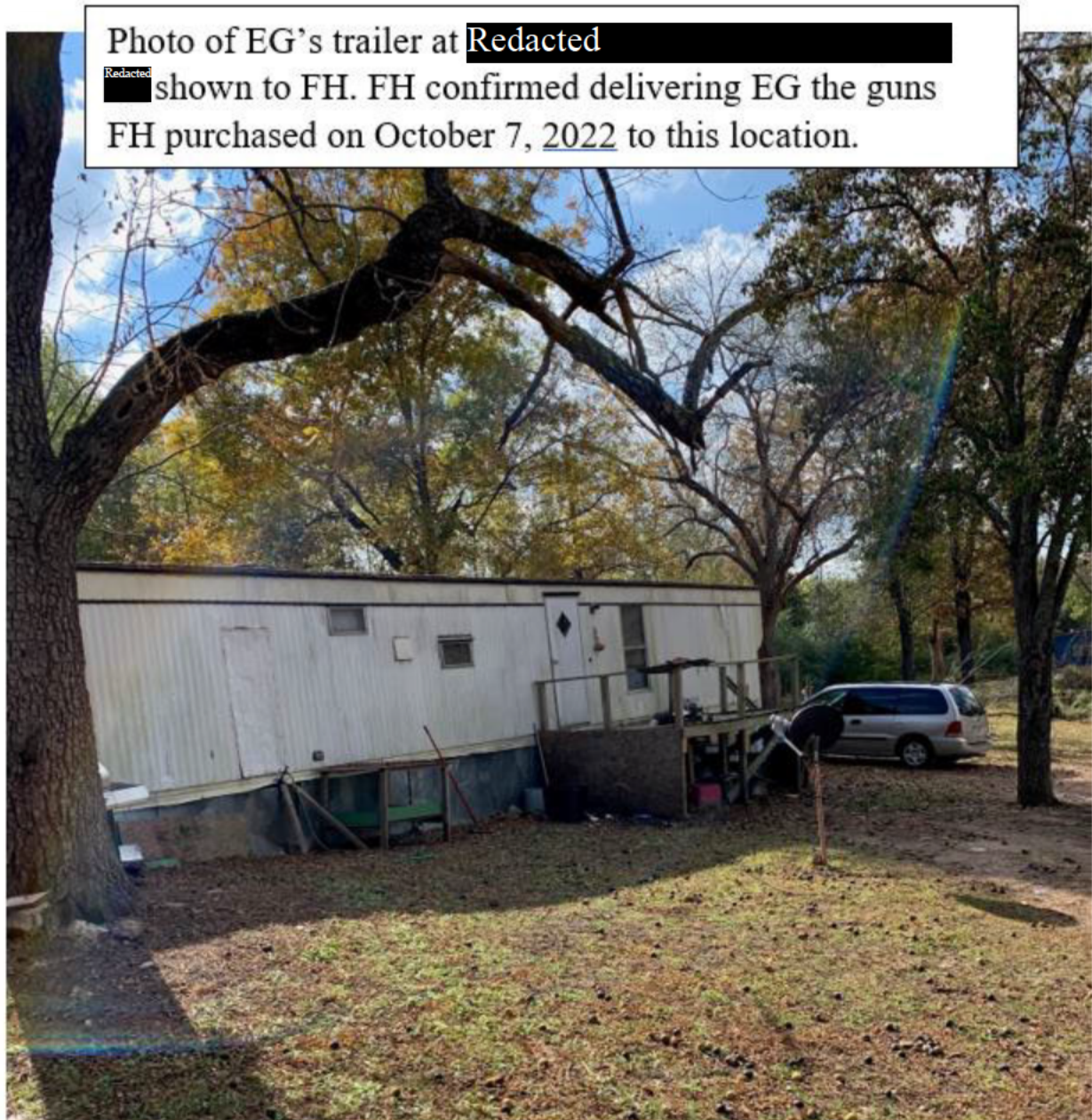
They said GARCIA drove a white van and a white truck. The last message in their phone from GARCIA was on November 1, 2022, when GARCIA told them he would be staying in Mexico for a few more days.



30. On November 11, 2022, agents conducted an interview with FH at his residence. FH stated he previously bought and sold firearms for profit. He told agents GARCIA called him asking if FH had any handguns for sale. FH told GARCIA he did but he actually did not have any in his possession at the time. FH stated he then went to Double D's and purchased approximately six (6) firearms and subsequently sold them to GARCIA for a profit. According to the ATF Multiple Sale Number M20220480030, FH purchased eight (8) handguns on October 7, 2022 from Double D Pawn and Gun, consisting of three (3) 9mm caliber handguns and six (6) 22 caliber handguns. FH stated GARCIA paid him \$100 per gun. FH also stated he brought the guns directly



to GARCIA at his residence on the same day as the purchase. Agents showed FH a photograph of the trailer located at [Redacted] in Tahlequah and asked if that was the trailer FH delivered them to. FH said that GARCIA was outside the trailer and he handed the guns to him; FH did not see anyone else at the trailer. FH confirmed that was in fact the same trailer and recalled the white Ford van and black Cadillac Escalade both being there.



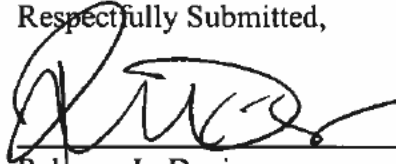
31. FH consented to agents to take possession of five (5) firearms and various ammunition he had in his possession and voluntarily signed an ATF Form 3400.1. Consent to Forfeiture or Destruction of Property and Waiver of Notice. It should be noted that agents are aware of six multiple sale transactions of firearms by FH at a Federal Firearms Licensee (FFL) for a total of 29 firearms in just eight (8) months. FH stated he has been in between jobs and was currently unemployed.

32. On November 4, 2022, I spoke with ATF Special Agent Sterling Juarez, who is an interstate nexus expert. SA Juarez examined the firearms found in GARCIA's bedroom closet and subsequently seized on November 4, 2022, which are described as: Mossberg model 185k, 20ga, bolt-action shotgun, bearing no serial number; Browning, model A-5, 20ga, semi-automatic shotgun, bearing serial number 07218NV231; and a Ruger model PC Carbine, 9mm caliber, semi-automatic rifle, bearing serial number 912-66302. He also examined the ammunition that was found in the residence which is described as assorted manufacturer and various calibers to include, but not limited to: .22 long rifle, 7.62x39, 7.62x51, .38 special, .38 super, 9mm, 300 blackout, .30-06, 12gauge, and .45acp. The various manufactures include but are not limited to: Federal, Remington, Remington – Peters, Winchester, CCI, Kent Cartridge, and Monarch. It is Special Agent Juarez's opinion that the aforementioned firearms and ammunition described above were manufactured outside of the State of Oklahoma and have traveled in and affected interstate commerce. The firearms are in fact classified as firearms, which the term "firearm" is defined in Title 18, United States Code (USC), Chapter 44, Section 921(a)(3).

33. Since this affidavit is being submitted for the limited purpose of enabling a judicial determination of whether probable cause exists to justify the issuance of a criminal complaint for GARCIA, I have not included each and every fact known concerning this investigation to me and others involved in this matter. I have set forth only the facts that I believe are essential to establish

the necessary foundation for a criminal complaint. Based on the above and the totality of the circumstances, I believe that probable cause exists to issue a criminal complaint against Eduardo GARCIA for violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(8), Felon in Possession of a Firearm and Ammunition.

Respectfully Submitted,

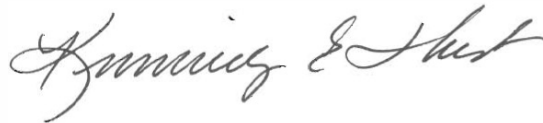


Rebecca L. Davison

Special Agent

Bureau of Alcohol, Tobacco, Firearms, and  
Explosives

Sworn to me this 16th day of November, 2022.



KIMBERLY E. WEST

United States Magistrate Judge